

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JON ROSATO, on behalf of himself and
similarly situated individuals, : 19 Civ. 10559 (LGS)
:
Plaintiff : ORDER
:
-against- :
:
THE CITY OF NEW YORK, :
:
Defendant. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS the Order, dated September 22, 2020 (Dkt. No. 39), terminated Plaintiff's counsel and directed Plaintiff to enter an appearance through new counsel or via the Southern District of New York's Pro Se Intake Unit by October 22, 2020.

WHEREAS the Order, dated October 23, 2020 (Dkt. No. 42), again directed Plaintiff to enter an appearance through new counsel or via the Southern District of New York's Pro Se Intake Unit, or to request an extension of time to retain new counsel, by November 6, 2020. That Order stated that noncompliance would result in dismissal for failure to prosecute.

WHEREAS, Plaintiff has not appeared *pro se* or through counsel, and has not requested an extension of time to retain new counsel. Accordingly, it is hereby

ORDERED that this case is dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff and close the case.

Dated: November 9, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE